

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

CASE NO: 1:21-cv-539

RAYMOND NARDO, individually and on
behalf of all others similarly situated,

CLASS ACTION

JURY TRIAL DEMANDED

Plaintiff,

vs.

PHE, INC. d/b/a ADAM AND EVE,

Defendant.

STIPULATION OF DISMISSAL

Plaintiff Raymond Nardo and Defendant PHE, Inc., pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), hereby stipulate to the dismissal of this matter, with each party to bear their own costs and attorneys' fees.

Plaintiff's claims are dismissed with prejudice, and the claims of the unnamed putative class members are dismissed without prejudice.

Dated: September 21, 2021

Respectfully Submitted,

<p><u>/s/ Ignacio J Hiraldo</u> Ignacio J. Hiraldo, Esq. FL Bar No. 56031 Washington D.C. Bar No. 485610 IJH Law 1200 Brickell Ave. Ste. 1950 Miami, FL 33131 t. 786.496.4469 e. ijhiraldo@ijhlaw.com</p> <p><u>/s/ David M. Wilkerson</u> DAVID M. WILKERSON NC State Bar No. 35742 The Van Winkle Law Firm 11 N. Market Street Asheville, North Carolina 28801 (828)258-299 (phone) (828)257-2767 (fax) dwilkerson@vwlawfirm.com</p> <p><i>Counsel for Plaintiff</i></p>	<p><u>/s/ David S. Rudolf (with permission)</u> David S. Rudolf (dsrudolf@rudolfwidenhouse.com) Rudolf Widenhouse 225 East Washington Avenue Suite 100 Charlotte, NC 28203 Phone: 704-333-9945 (Local Civil Rule 83-1 Counsel)</p> <p>Michael H. Sampson (msampson@leechtishman.com) (Notice of Special Appearance Filed) James K. Paulick (jpaulick@leechtishman.com) (Notice of Special Appearance Filed) Audra E. Phibbs (aphibbs@leechtishman.com) (Notice of Special Appearance Filed) Leech Tishman Fuscaldo & Lampl, LLC 525 William Penn Place, 28th Floor Pittsburgh, Pennsylvania 15219 Phone: 412-261-1600</p> <p><i>Counsel for Defendant PHE, Inc. d/b/a Adam and Eve</i></p>